
SENATE BILL 5897

State of Washington 52nd Legislature 1991 Regular Session

By Senators Conner, Niemi, Rasmussen and Skratek.

Read first time March 1, 1991. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to denturistry; amending RCW 18.130.040; adding a
2 new chapter to Title 18 RCW; creating a new section; prescribing
3 penalties; making an appropriation; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds it necessary to
6 regulate the practice of denturistry at the level of certification in
7 order to protect the public health and safety and to establish an
8 alternate means of denture delivery. It is the intent of the
9 legislature that only individuals who meet and maintain minimum
10 standards of competence and conduct provide service to the public.

11 NEW SECTION. **Sec. 2.** (1) Certification under this chapter is
12 required in the practice of denturistry to perform the following acts:
13 (a) Engaging in or offering to engage in the practice of
14 denturistry; or

1 (b) Using the word "denturist," "certified denturist," "CD," or
2 other words, letters, abbreviations, or insignia in connection with a
3 name, implying that the person is engaged in the practice of
4 denturistry.

5 (2) Violation of this section shall constitute a gross misdemeanor.

6 NEW SECTION. **Sec. 3.** Unless the context clearly requires
7 otherwise, the definitions in this section apply throughout this
8 chapter.

9 (1) "Board" means the board of denturistry.

10 (2) "Complete denture" means a removable prosthetic dental
11 appliance worn on the human edentulous arch.

12 (3) "Denturistry" means the practice of a denturist and is the
13 making, fitting, altering, or repairing of a denture for a patient
14 directly, and includes the taking of impressions, bite registrations,
15 or inner arch relations, trying of dentures set in wax, and final
16 seating and adjustment of dentures.

17 (4) "Department" means the department of health.

18 (5) "Immediate denture" means a denture that is fabricated prior to
19 and inserted in the human oral cavity immediately after the extraction
20 of natural teeth.

21 (6) "Partial denture" means a removable dental appliance that is
22 attached to natural teeth for the purpose of replacing missing teeth on
23 a partial edentulous arch.

24 (7) "Public member" means an individual who is not, and never has
25 been a member or spouse of a member of a health profession currently
26 regulated, or an individual who does not have and has never had a
27 material financial interest in the rendering of denturistry or an
28 activity directly related to denturistry.

1 NEW SECTION. **Sec. 4.** (1) Immediate dentures may be fabricated
2 for a patient by a denturist on the written prescription and under the
3 general supervision of a dentist. The dentist is responsible for the
4 extraction of the natural teeth, inserting the immediate dentures, and
5 the aftercare of the patient; however, the treating dentist may
6 delegate portions of patient treatment, to a denturist, that fall under
7 a denturist's scope of practice.

8 (2) Replacement dentures may be fabricated for the patient, by a
9 denturist without the supervision of a dentist, six months from the
10 date of the extractions.

11 (3) Partial dentures may be fabricated for a patient directly only
12 on the written prescription of a dentist.

13 NEW SECTION. **Sec. 5.** A denturist certified under this chapter
14 shall not:

15 (1) Extract or attempt to extract natural teeth;

16 (2) Surgically modify or attempt to surgically modify natural teeth
17 or tissue;

18 (3) Recommend prescription drugs for oral or medical diseases;

19 (4) Fit orthodontic appliances; or

20 (5) Fabricate a partial denture or immediate complete denture, for
21 a patient directly, without a prescription from a dentist.

22 NEW SECTION. **Sec. 6.** Nothing in this chapter shall be
23 construed to prohibit or restrict persons authorized by the state of
24 Washington to practice medicine or dentistry, persons authorized in
25 writing by a dentist to perform nonclinical dental laboratory
26 procedures, or a person from practicing the profession the person is
27 authorized to practice.

1 NEW SECTION. **Sec. 7.** (1) In addition to authority provided by
2 law, the department shall have the following authority to:

3 (a) Adopt rules necessary to implement this chapter;

4 (b) Set certification and renewal fees;

5 (c) Establish forms and procedures necessary to implement this
6 chapter;

7 (d) Issue a certificate to an applicant that has met the education,
8 training, examination, and conduct requirements; and

9 (e) Hire clerical, administrative, and investigative staff as
10 needed to implement this chapter.

11 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the
12 issuance and denial of certification and the discipline of certificate
13 holders under this chapter. The department is the disciplining
14 authority under this chapter.

15 NEW SECTION. **Sec. 8.** The department shall keep an official
16 record of all proceedings. A part of the record shall consist of a
17 register of all applicants for certification under this chapter.

18 NEW SECTION. **Sec. 9.** (1) The board of denturistry is hereby
19 created consisting of five members appointed by the governor.

20 (a) Two members shall be public members, not associated with a
21 health profession;

22 (b) Two members shall be denturists. Prior to the certification of
23 a denturist under this chapter, two denturist applicants shall be
24 conditional members. If a conditional member should fail to pass a
25 portion of the written or practical examination he or she shall be
26 dismissed; and

27 (c) One member shall be a dentist with a minimum of six years'
28 experience in the practice of dentistry.

1 (2) A member's term of office is three years at the pleasure of the
2 governor. The governor, before expiration of the term of a member,
3 shall appoint a successor whose term begins on July 1. The terms of
4 the first members shall be staggered to ensure an orderly succession of
5 new members. A member is eligible for reappointment, but no member
6 shall serve more than two consecutive terms, unless the governor
7 determines good cause. If a vacancy arises, the governor shall make an
8 appointment, effective immediately, for the unexpired term.

9 (3) Members shall be reimbursed for expenses in accordance with
10 state statutes.

11 NEW SECTION. **Sec. 10.** Members of the board or individuals
12 acting on their behalf are immune from civil suit in an action based on
13 certification or disciplinary proceedings or other official acts
14 performed in the course of duty.

15 NEW SECTION. **Sec. 11.** (1) Examinations shall determine the
16 qualifications, fitness, and ability of the applicants to practice
17 dentistry under this chapter. The form of the examination shall
18 include a written and a practical demonstration of skills.

19 (2) The board shall conduct examinations at least annually if there
20 are applicants. The written and practical examinations shall carry
21 equal weight and the passing score is determined by agreement of the
22 board members.

23 (3) Applicants who fail to score a passing grade on the written or
24 practical examination, or both, may upon payment of the appropriate
25 fee, have another opportunity to take the entire exam, or the written
26 or practical portion only. The board may approve successive
27 examinations upon application and payment of the prescribed fee.

1 NEW SECTION. **Sec. 12.** It is recognized that the scope of
2 practice of denturists overlaps in some areas with the scope of
3 practice of dentists, licensed under chapter 18.32 RCW. Denturists
4 certified and practicing under this chapter are exempted from chapter
5 18.32 RCW when acting within their scope of practice.

6 NEW SECTION. **Sec. 13.** Upon application, payment of the
7 appropriate fee, and successful completion of the board examination,
8 the department shall issue a certificate to practice denturistry, that
9 is valid for two years. Prior to taking the board examination
10 applicants shall complete the following criteria:

11 (1) Graduation from two years of formal study at an approved
12 college of denturistry that is recognized by the board; or

13 (2) Evidence of seven years of experience in the vocation of dental
14 technology, that shall include four thousand hours in the fabrication
15 of complete dentures, or complete and partial dentures. Two of the
16 required seven years may be in a school of dental laboratory
17 technology; and

18 (3) Completion of the following educational requirements which
19 shall include but are not limited to:

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|---|--------------------------|
| 20 (a) Embryology | ten hours; |
| 21 (b) Oral pathology | one hundred forty hours; |
| 22 (c) Head and neck anatomy | sixty hours; |
| 23 (d) Physiology | thirty hours; |
| 24 (e) Histology | ten hours; |
| 25 (f) Clinical denturistry | sixty hours; |
| 26 (g) Periodontology | twenty hours; |
| 27 (h) Oral radiographic diagnosis | thirty hours; |
| 28 (i) Interpretation of medical | five hours; |
| 29 laboratory values | |

- 1 (j) Dental materials five hours;
- 2 (k) HIV/AIDS, and asepsis ten hours; and
- 3 (l) Microbiology five hours.

4 NEW SECTION. **Sec. 14.** Notwithstanding a provision of an
5 insurance policy covering dental health, or a state agency that pays
6 dental services, if an insurance policy provides for a service that is
7 within the lawful scope of practice of this chapter, the insured
8 patient under the policy is entitled to reimbursement for the service,
9 or payment directly to the denturist or dentist provider.

10 NEW SECTION. **Sec. 15.** Consumer protection laws that apply to
11 dentists shall apply to denturists.

12 NEW SECTION. **Sec. 16.** A denturist may enter into a lawful
13 agreement with a dentist regarding fees, compensation, business
14 associations, and professional corporations.

15 NEW SECTION. **Sec. 17.** Applications for certification shall be
16 submitted on forms provided by the department. The department may
17 require information and documentation that reasonably relates to making
18 a determination that the applicant meets the criteria. Each applicant
19 shall pay a fee determined by the department, that shall accompany the
20 application.

21 NEW SECTION. **Sec. 18.** The department shall establish by rule
22 the procedural requirements for the renewal of certificates. Failure
23 to renew shall invalidate the certificate and all privileges granted by
24 the certificate.

1 NEW SECTION. **Sec. 19.** This chapter may be known and cited as
2 the denturist certification act.

3 **Sec. 20.** RCW 18.130.040 and 1990 c 3 s 810 are each amended to
4 read as follows:

5 (1) This chapter applies only to the secretary and the boards
6 having jurisdiction in relation to the professions licensed under the
7 chapters specified in this section. This chapter does not apply to any
8 business or profession not licensed under the chapters specified in
9 this section.

10 (2) (a) The secretary has authority under this chapter in relation
11 to the following professions:

12 (i) Dispensing opticians licensed under chapter 18.34 RCW;

13 (ii) Naturopaths licensed under chapter 18.36A RCW;

14 (iii) Midwives licensed under chapter 18.50 RCW;

15 (iv) Ocularists licensed under chapter 18.55 RCW;

16 (v) Massage operators and businesses licensed under chapter 18.108
17 RCW;

18 (vi) Dental hygienists licensed under chapter 18.29 RCW;

19 (vii) Acupuncturists certified under chapter 18.06 RCW;

20 (viii) Radiologic technologists certified under chapter 18.84 RCW;

21 (ix) Respiratory care practitioners certified under chapter 18.89
22 RCW;

23 (x) Persons registered or certified under chapter 18.19 RCW;

24 (xi) Persons registered as nursing pool operators;

25 (xii) Nursing assistants registered or certified under chapter
26 18.52B RCW;

27 (xiii) Dietitians and nutritionists certified under chapter 18.138
28 RCW; ((and))

1 (xiv) Sex offender treatment providers certified under chapter
2 18.155 RCW; and

3 (xv) Denturists certified under chapter 18.-- RCW (sections 1
4 through 18 of this act).

5 (b) The boards having authority under this chapter are as follows:

6 (i) The ((~~podiatry~~)) podiatric medical board as established in
7 chapter 18.22 RCW;

8 (ii) The chiropractic disciplinary board as established in chapter
9 18.26 RCW governing licenses issued under chapter 18.25 RCW;

10 (iii) The dental disciplinary board as established in chapter 18.32
11 RCW;

12 (iv) The council on hearing aids as established in chapter 18.35
13 RCW;

14 (v) The board of funeral directors and embalmers as established in
15 chapter 18.39 RCW;

16 (vi) The board of examiners for nursing home administrators as
17 established in chapter 18.52 RCW;

18 (vii) The optometry board as established in chapter 18.54 RCW
19 governing licenses issued under chapter 18.53 RCW;

20 (viii) The board of osteopathic medicine and surgery as established
21 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
22 18.57A RCW;

23 (ix) The medical disciplinary board as established in chapter 18.72
24 RCW governing licenses and registrations issued under chapters 18.71
25 and 18.71A RCW;

26 (x) The board of physical therapy as established in chapter 18.74
27 RCW;

28 (xi) The board of occupational therapy practice as established in
29 chapter 18.59 RCW;

1 (xii) The board of practical nursing as established in chapter
2 18.78 RCW;

3 (xiii) The examining board of psychology and its disciplinary
4 committee as established in chapter 18.83 RCW;

5 (xiv) The board of nursing as established in chapter 18.88 RCW; and

6 (xv) The veterinary board of governors as established in chapter
7 18.92 RCW.

8 (3) In addition to the authority to discipline license holders, the
9 disciplining authority has the authority to grant or deny licenses
10 based on the conditions and criteria established in this chapter and
11 the chapters specified in subsection (2) of this section. However, the
12 board of chiropractic examiners has authority over issuance and denial
13 of licenses provided for in chapter 18.25 RCW, the board of dental
14 examiners has authority over issuance and denial of licenses provided
15 for in RCW 18.32.040, and the board of medical examiners has authority
16 over issuance and denial of licenses and registrations provided for in
17 chapters 18.71 and 18.71A RCW. This chapter also governs any
18 investigation, hearing, or proceeding relating to denial of licensure
19 or issuance of a license conditioned on the applicant's compliance with
20 an order entered pursuant to RCW 18.130.160 by the disciplining
21 authority.

22 NEW SECTION. **Sec. 21.** Sections 1 through 18 of this act shall
23 constitute a new chapter in Title 18 RCW.

24 NEW SECTION. **Sec. 22.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 23.** This act shall take effect January 1,
2 1992.

3 NEW SECTION. **Sec. 24.** The sum of dollars, or as
4 much thereof as may be necessary, is appropriated for the biennium
5 ending June 30, 1993, from the health professions account to the
6 department of health for the purposes of this act.